8412290/2024/VIGILANCE-I-ICD01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services -Water Resources Department -V&E Report- Allegations in execution of work "Improvements to Relligedda natural drain from kollipeta (V), in Ponduru (M), to Nellimetta (V), in Amadalavalasa (M) of Srikakulam District" – Disciplinary proceedings against **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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WATER RESOURCES (VIG.I) DEPARTMENT

G.O. Rt. No. 19 **Dated: 11.01.2024**

Read the following:

1. From the Director General (Vig. &Enft) & EO Prl.Secy., to Govt., General Administration (V&E) Department, Vijayawada, Vigilance Report No.14 (C.No.244/V&E/ENGG/2020), Dated:25.02.2021.
2. G.O.Rt.No. 10, Water Resources (VIG.I) Department, Dated: 11.01.2024.

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ORDER:

In pursuance of the sanction accorded by the Government in Water Resources Department vide G.O. 2nd read above for instituting common disciplinary proceedings under Rule 24 of A.P.C.S (CC&A) Rules, 1991, against certain officers mentioned therein, including **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam, it is proposed to hold an inquiry against **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam in accordance with the procedure laid down under Rule 20 of the A.P Civil Services (CC&A) Rules, 1991 for the alleged charges specified herein.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of articles of charges is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam, is directed to submit his written statement of defence within (10) days from the receipt of this order and also state whether he desires to be heard in person.

4. **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam is informed that an inquiry will be held only in respect of those article of charge which are not specifically admitted herein. He should therefore, specifically admit or deny each article of charge. He is further informed that adequate opportunity for perusal of records will be made available during the course of inquiry.

5. **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam is further informed that if he does not submit his written statement of defence on or before the stipulated time, or does not appear in person before the disciplinary authority or otherwise fails or refuses to comply with the provisions of rule 20 of the APCS (CC&A) Rules 1991, or the orders/directions issued in pursuance of said Rules, the inquiring authority may hold inquiry against him ex- parte.

6. Attention of **Sri K. Sambha Murthy,** the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or

(P.T.O.)

attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Sambha Murthy, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam (through the Engineer-in-Chief (AW), Water Resource Department, Vijayawada).

Copy to:
The Engineer-in-Chief (AW), Water Resources Department, Vijayawada with a request to submit the dated acknowledgement of the individual to the Government without any delay.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-I

Article of Charges framed against Sri K. Sambha Murthy, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam:-

Sri K. Sambha Murthy the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam has committed dereliction of duties amounting to misconduct in violation of Rules 3 of AP Civil Services Conduct Rules, 1964 as mentioned in the following articles of charge.

Article of Charge -I :- That the said **Sri K. Sambha Murthy**, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam has failed to ensure quality assurance in executing the cement concrete works in respect of Protection wall in the sub-work "Construction of Protection wall near Modalavalasa(V) in Ponduru(M)" in the main work of "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District " and recommended for issue of QC certificate , there by caused loss of Rs.1,00,55,298/- to the Government Exchequer . Thus, he has committed dereliction of duties amounting to misconduct.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

statement of Imputationof misconduct or misbehaviour in support of Article of Charges framed against Sri K. Sambha Murthy, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam:-

1. The V&E Department officials verified the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District " along with the field officers who were associated with the execution of work.

The details of observations of the work by the V&E were as follows:

The Vigilance & Enforcement Department obtained all the connected records from the office of Executive Engineer, Irrigation Division, Srikakulam and randomly inspected the works along with concerned field staff on 28.01.2020, 30.01.2020. 20.10.2020 and 22.10.2020. Scrutiny of records revealed the following observation.

1. The main provisions of the sanctioned estimate and the status of works is tabulated as below.

S No	Description of item work	Status of work
1	Construction of protection wall near Modalavalasa (V) in Ponduru (M)	Work completed
2	Improvements to check dam near Pydijogipeta (V) in Ponduru(M)	Work completed
3	Improvements to check dam near Thadivalasa (V) in Ponduru (M)	Work completed but damaged & washed away
4	Improvements to check dam near Kollipeta (V) in Ponduru (M)	Work Not grounded
5	Improvements to check dam near Nellimetta (V) in Ponduru (M).	Work Not grounded
6	Formation of Bank on left side of Gedda between Jagannadahapeta (V) &Gokarnapalli (V) and from railway bridge to Nagavali River.	Work Not grounded
7	Construction of 4 Nos of Repelling and attracting groynes in Nagavali River at confluence point.	Work Not grounded

2. Agreement of the above work was concluded on 12.05.2017 with an agreement period of 12 months i.e., 11.05.2018 and EOAT was sanctioned up to 31.05.2019.

3. 3 Nos. of LS & Part Bills were paid to the agency so far and the total value of work done as on the date of inspection was Rs.4,09,02,632/- (Rs.3,76,87,685 with TP less]] 7.86 %). (Copy of M-Book pages 1 to 8 of 3894-B & M-Book pages 1 to 16 of 4078-B are enclosed as Annexure-5).

4. The V&E Dept has inspected the three executed & completed works covered in this agreement such as Protection wall near Modalavalasa village, Check dam near Pydijogapeta village and Check dam near Thadivalasa village and the observations are as follows.

5. Construction of Protection Wall near Modalavalasa village in Ponduru Mandal:

The protection wall is executed with M 15 Grade concrete with top width of 500 mm and length of 349 m in two reaches i.e. 0 to 210 m and 210 to 349m.

i. The Physical measurements of the retaining wall such as length, height and top width are verified on Date 28.01.2020, 20.10.2020 and 22.10.2020 they are fairly tallied with the recorded measurements. The depth of foundation of retaining wall at Km 0/260 was verified and it is fairly tallied with the recorded measurements. (Copy of observation sheets & M Book Pages & Photographs are enclosed as Annexure-6).

ii. 143 mm diameter M 15 Grade Cement concrete cores 12 Nos were extracted on 30.01.2020 and 22.10.2020 from the retaining wall from km. 0/27.5 to km. 0/62.9 and from km. 0/221.2 to 0/265.5. The Cement Concrete core samples were got tested in the presence of filed staff at M/s KDM Engineers (India) Private Limited, Visakhapatnam (NABL Accredited Laboratory) on and on 31 .10.2020. The test results are tabulated as below.

S No	Reach	Location	Grade	Strength attained (N/mm ^{2})	Strength required (N/mm ^{2})	Remarks
1	Reach-I (from 0 to 210 m)	Km 0/27.5	M 15	6.90	11.25	Not Satisfied
2		Km 0/48.5	M 15	8.00	11.25	Not Satisfied
3		Km 0/62.9	M 15	6.20	11.25	Not Satisfied
		AVERAGE STRENGTH		**7.0**	**12.75**	Not Satisfied
4		Km 0/17.10	M 15	7.50	11.25	Not Satisfied
5		Km 0/20.35	M 15	8.20	11.25	Not Satisfied
6		Km 0/24.95	M 15	4.80	11.25	Not Satisfied
		AVERAGE STRENGTH		**6.80**	**12.75**	Not Satisfied
7		Km 0/41.05	M 15	6.60	11.25	Not Satisfied
8		Km 0/45.95	M 15	6.90	11.25	Not Satisfied
9		Km 0/50.15	M 15	10.20	11.25	Not Satisfied
		AVERAGE STRENGTH		**7.90**	**12.75**	Not Satisfied
10	Reach -2 (from 210 m to 349 m)	Km 0/221.2	M 15	11.8	11.25	Satisfied
11		Km 0/249.4	M 15	12.5	11.25	Satisfied
12		Km 0/265.5	M 15	10.6	11.25	Not Satisfied
		AVERAGE STRENGTH		**11.6**	**12.75**	Not Satisfied

From the table supra, the individual and average compressive strength results of the cores are not complied with the acceptance criteria of M15 Grade Concrete as per clause 17.4.3 of IS 456-2000 and hence the retaining wall under the above reaches comes under rejection. (Copy of Test results are enclosed as Annexure-7).

iii. The value of rejected quantity of protection wall of M 15 Grade Concrete (as per MB No.4077-B Vide pages 13, 14 & 24) is worked out as below.

Reach	Item	Rate (In Rs.)	Rate with TP Less @ 7.86 % (in Rs.)	Rejected Quantity (in Cum)	Rejected Amount (Qty x Rate)
Reach-I (0 to 210 m)	M15 Concrete	5543.93	5108.18	(210x4x(0.5+4)/2 = 1890 Cum	Rs. 96,54,460
Reach-2 (210 to 349m)	M15 Concrete	5543.93	5108.8	(139x0.7x(0.5+1.113)/2 = 78.47 Cum	Rs. 4,00,838
					Rs. 1,00,55,298

The rejected value of work of Rs.1,00,55,298/- is to be recovered from the contracting agency or relaid at the cost of the agency. (Copy of MB pages are enclosed as Annexure-8).

FINDINGS:

All the CC Cores extracted from hardened concrete of Protection wall at Modalavalasa village have failed to attain the required compressive strength of M 15 Grade concrete as per IS 456-2000 and hence proposed recovery of Rs. 100,55,298/- from the executing agency.

The field engineers neither ensured the required tests to the material components before execution nor did conduct any QC tests during and after execution of the work to ascertain the strength of the Concrete of retaining wall of M15 grade, before recommending for payment. There is gross negligence on the part of the field officers in maintaining quality and safe guarding public money. The quality of work is sub-standard and is only a result of dereliction of duty by the field officers.

2. **Sri K. Sambha Murthy,** the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam has failed to ensure quality assurance in executing the cement concrete works in respect of Protection wall in the sub-work "Construction of Protection wall near Modalavalasa(V) in Ponduru(M)" in the main work of "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District " and recommended for issue of QC certificate there by caused loss of Rs.1,00,55,298/- to the Government Exchequer . Thus, he has committed dereliction of duties amounting to misconduct.

3. Thus, the said officer has failed to perform his duties with diligence which amounts to dereliction of duties leading to misconduct in violation of Rule 3 of AP Civil Services Conduct Rules, 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

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ANNEXURE – III

List of Documents by which the Article of charges framed against Sri K. Sambha Murthy, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam are proposed to be sustained:-

List of Documents:

(1) Vigilance Report No.14(C.No.244/V&E/ENGG/2020) Dt:25.02.2021 along with enclosures.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – IV

List of Witnesses by whom the Article of charges framed against Sri K. Sambha Murthy, the then Assistant Executive Engineer, QC Sub-Division, Hiramandalam are proposed to be sustained:-

List of Witnesses:

(1) Vigilance & Enforcement officials who verified the

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

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